

204606

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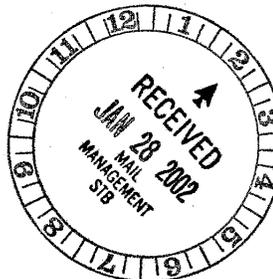
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KATHRYN A. KLEIMAN*
OF COUNSEL
(*Admitted in Virginia only)

ROBERT RANDALL GREEN
LAURA L. PHELPS
GOVERNMENT RELATIONS

JOSEPH T. CONNOR
FINANCIAL ANALYST

January 28, 2002



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Docket No. AB 33 (Sub-No. 183), *Salt Lake City Corporation – Adverse Abandonment -- in Salt Lake City, Utah*

Dear Sir:

On January 22, 2002, the Salt Lake City Corporation filed in this proceeding the Reply of Salt Lake City Corporation to Protests of Union Pacific Railroad and the Association of American Railroads. Attached to that pleading as Exhibit B was the Declaration of Ron Love. The pleading filed on January 22 included a faxed copy of that Declaration. I am attaching to this letter the original Declaration with the original signature page and attachments.

By copy of this letter, I am advising all parties that we have filed this original Declaration. However, because the document is identical in all respects to the faxed copy, I am not providing all parties with an additional copy. I am enclosing an extra copy which I would ask that you date stamp and return to our messenger.

Thank you for your attention to this matter.

Sincerely,

Charles A. Spitulnik

Charles A. Spitulnik

Enclosure

cc: All Parties of Record

ENTERED
Office of the Secretary

JAN 29 2002

Part of
Public Record

**Before the
Surface Transportation Board**

Docket No. AB-33 (Sub-No. 183)

**SALT LAKE CITY CORPORATION -
ADVERSE ABANDONMENT OF LINE OF UNION PACIFIC RAILROAD COMPANY
-- IN SALT LAKE CITY, UT**

DECLARATION OF RON LOVE

I, Ron Love state as follows:

1. I, Ron Love currently serve as the technical planner with the Salt Lake City Public Services Department.
2. I have personal knowledge of Salt Lake City's ("City") relationship, dealings and interaction with Union Pacific Railroad Company ("UP").
3. I have personal knowledge of the dealing relating to the contract between the City and Carter & Burgess, Inc. ("Carter Contract") to conduct a feasibility study, in part, relating to relocating the Union Pacific Railroad's mail line west of Grant Tower. A copy of the Carter Contract is attached hereto as Exhibit 1.
4. Part of the feasibility study to be performed under the Carter Contract addresses, among other things, the straightening of the rail lines at Grant Tower and increasing the speed of train traffic through Grant Tower.
5. UP played an active role in negotiating and drafting the scope of work to be performed under the Carter Contract.



Love, Ron

From: Tarbet, Valda
Sent: Thursday, August 16, 2001 1:44 PM
To: Love, Ron
Subject: RE: Charter Burgess, Railroad Relocation Project

CONFIRMED. WHAT ELSE DO YOU NEED?

-----Original Message-----

From: Love, Ron
Sent: Thursday, August 16, 2001 12:29 PM
To: Tarbet, Valda
Cc: Wallace, Stephanie; Baxter, DJ
Subject: FW: Charter Burgess, Railroad Relocation Project

Valda, if you can provide me confirmation that you will pay the other half, I'll get with Engineering and we'll get this part of the show on the road.

Ron

Ron Love
(801) 535-6438

-----Original Message-----

From: SJMCLAWS@up.com [mailto:SJMCLAWS@up.com]
Sent: Friday, August 10, 2001 4:28 AM
To: ron.love@ci.slc.ut.us
Subject: Re: Charter Burgess, Railroad Relocation Project

Ron,
UPRR will participate in the payment of 1/2 of the study cost estimated at \$24,900. I have contacted Carter-Burgess and requested them to provide me with a project proposal for UP's portion.

"Love, Ron" <ron.love@ci.slc.ut.us> on 08/03/2001 12:39:09 PM

To: "sjmclaws@up.com" <sjmclaws@up.com>
cc: "Tarbet, Valda" <Valda.Tarbet@ci.slc.ut.us>, "Wallace, Stephanie" <Stephanie.Wallace@ci.slc.ut.us>, "Johnston, Richard" <richard.johnston@ci.slc.ut.us>

Subject: Charter Burgess, Railroad Relocation Project

Steve,

Stan Postma sent me the scope of services for the determination of cost of relocating the rails from the Folsom line to the adjacent mainline, and copied you. I am currently staffing that document with the City folks and RDA.

Carter & Burgess

420 East South Temple, Suite 345
Salt Lake City, Utah 84111-1321
Phone: 801.355.1112
Fax: 801.355.3990
www.c-b.com

July 31, 2001

Mr. Ron Love
Salt Lake City Corporation
451 South State Street
Salt Lake City, Utah 84111

Dear Mr. Love:

Reference: **Union Pacific Railroad Relocation Project at Salt Lake City, Utah**

Carter & Burgess, Inc. is pleased to submit this proposal to provide engineering services for the Union Pacific Railroad (UPRR) railroad relocation feasibility study in Salt Lake City, Utah. The feasibility study consists of relocating the UPRR main line west of Grant Tower to an existing rail corridor to allow the City to extend City Creek to the Jordan River using the current rail alignment.

It is our understanding that the City has an agreement with the Corp of Engineers (COE) to extend City Creek from Grant Tower to the Jordan River. The COE will participate in the funding of the project once the City has secured the right of way. This feasibility study will provide the City a cost estimate to be used to coordinate the City Creek project with the UPRR and the COE.

Attached is a detailed scope of work and fee estimate to complete the study. The feasibility study will include but not be limited to right of way acquisition, signalization, trackwork, grade crossings, grading, drainage, utility relocations, and building displacements. The unit costs for the estimate will be based on previous UDOT, City, and UPRR similar projects.

We look forward to working with you on this challenging project.

Sincerely,

CARTER & BURGESS, INC.


Stanley S. Postma, P.E.
Utah Office Manager

C: Steffanie Wallace
D. J. Baxter, Mayor Office
Steve McLaws, Union Pacific

08168.AB.doc

Task 4 - Quantities and Estimates:

Prepare a quantity "take-off" report and develop construction cost estimates for the proposed improvements. Unit Costs will be based on City, UDOT, and UPRR previous projects.

FEE ESTIMATE

Task 1	\$ 2,500
Task 2	\$ 9,500
Task 3	\$10,000
Task 4	<u>\$ 2,900</u>
TOTAL COST	\$24,900

WORK PLAN

The existing trackwork and signalization systems will be closely evaluated to rationalize the two mainlines and try to increase the speeds within the Grant Tower area. A new track alignment will be evaluated to connect the northbound to the westbound main line, crossing under Interstate Highway 15. West South Temple Street will be evaluated to determine right of way limits and access to the adjacent property. A new plan will be developed to incorporate the new main line track and proposed access to this area. Off-site drainage will be evaluated to identify major storm sewer crossings. A new bridge structure will be required at the Jordan bridge crossing.

Major utilities will be evaluated and determine relocations. Existing at-grade crossing configurations will also be evaluated to develop new configurations for the additional main line track. This project will eliminate three at-grade crossings, which creates the potential to secure Federal Funding through Section 130 (Federal Funding for Grade Crossing Safety Improvements) with assistance and at the discretion of UDOT.

Upon completion of the preliminary design, a cost estimate will be developed for the proposed improvements.

RICHARD GRAHAM
PUBLIC SERVICES DIRECTOR

SALT LAKE CITY CORPORATION
DEPARTMENT OF PUBLIC SERVICES

ROSS C. "ROCKY" ANDERSON
MAYOR

November 2, 2001

Stan Postma, P.E., Utah Area Manager
Carter & Burgess, Inc.
420 East South Temple, Suite 345
Salt Lake City, UT 84111-1321

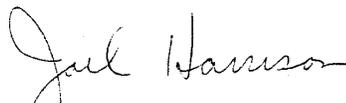
**Re: Union Pacific Railroad Relocation Feasibility Study
Job No. 870006/102092**

Dear Mr. Postma:

Attached is a copy of the amended agreement for the referenced job. It was approved by the City on October 25, 2001.

A notice to proceed with the study is hereby issued. It is to be completed by December 5, 2001.

Sincerely,

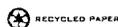


Joel Harrison, P.E.
Contract Administrator

JH:lb
Attachment

cc: Rick Johnston
Valda Tarbet
Ron Love
Vault

SALT LAKE CITY ENGINEERING
324 SOUTH STATE STREET, SUITE 310, SALT LAKE CITY, UTAH 84111
TELEPHONE: 801-535-7961 FAX: 801-535-6093



Job: 102092
Consultant: Carter & Burgess, Inc.
Project Name: Perimeter Road (Constitution Drive) in Liberty Park

B. **FEE FOR ADDITIONAL SERVICES.** For performing the additional services specified in paragraph "A" above, Consultant shall be paid an amount not to exceed Nine Thousand Nine Hundred fifty dollars and no cents (\$9,950.00) based on the hourly rates incorporated in Exhibit "A".

C. **REPRESENTATION REGARDING ETHICAL STANDARDS FOR CITY OFFICERS AND EMPLOYEES AND FORMER CITY OFFICERS AND EMPLOYEES**
Consultant represents that it has not: (1) provided an illegal gift or payoff to a City officer or employee or former City officer or employee, or his or her relative or business entity; (2) retained any person to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees or bona fide commercial selling agencies for the purpose of securing business; (3) knowingly breached any of the ethical standards set forth in the City's conflict of interest ordinance, Chapter 2.44, Salt Lake City Code; or (4) knowingly influenced, and hereby promises that it will not knowingly influence, a City officer or employee or former City officer or employee to breach any of the ethical standards set forth in the City's conflict of interest ordinance, chapter 2.44, Salt Lake City Code.

D. **EFFECT OF PRIOR AGREEMENTS.** Other than as modified by this amendment, the Initial Agreement and the Prior Amendments shall remain in full force and effect.

Job: 102092
Consultant: Carter & Burgess, Inc.
Project Name: Perimeter Road (Constitution Drive) in Liberty Park

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

The foregoing agreement amendment was acknowledged before me this _____
day of Oct 2, 2001 by Stanley S. Postma and
Sandra Rodenberg, the Utah Office Manager and Business Manager
_____, respectively, of Carter & Burgess, Inc., a Texas corporation authorized to
do business in the State of Utah.

Karen B Johnson
NOTARY PUBLIC, residing in
Salt Lake County, Utah



My Commission Expires:
10/29/04

Task 4 - Quantities and Estimates:

Prepare a quantity "take-off" report and develop construction cost estimates for the proposed improvements. Unit Costs will be based on City, UDOT, and UPRR previous projects.

EMPLOYEES AND HOURLY RATES

Stan Postma	\$145.00
Art Baraza	\$150.00
Mary Nelson	\$105.00
Ron Jeffries	\$110.00
Rusty Todaro	\$ 80.00

WORK PLAN

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